

IDAHO BOARD OF PODIATRY
Bureau of Occupational Licenses
700 West State Street, P.O. Box 83720
Boise, ID 83720-0063

Board Meeting Minutes of 7/16/2012

BOARD MEMBERS PRESENT: Scott A. Graviet, D.P.M. - Chair
Randall L. Benedict, D.P.M.
Jesse N. Overgard
Jeanne M Arnold, D.P.M.
Kert W. Howard, D.P.M.

BUREAU STAFF: Tana Cory, Bureau Chief
Dawn Hall, Administrative Support Manager
Roger Hales, Administrative Attorney
Marcie Rightnowar, Appeals/Hearings Coordinator
Joan Callahan, Intern
Carrie Gilstrap, Technical Records Specialist II

The meeting was called to order at 9:00 AM MDT by Scott A. Graviet, D.P.M.

APPROVAL OF MINUTES

Dr. Benedict made a motion to approve the minutes of 4/17/2012 as corrected with the meeting date. It was seconded by Dr. Howard. Motion carried.

Dr. Arnold made a motion to approve the minutes of 5/10/2012 as written. It was seconded by Dr. Howard. Motion carried.

LEGISLATIVE REPORT

Ms. Cory gave the legislative report. She said that the Board plans on submitting law and rule changes in 2014. This is to give enough time for its licensees and the Association to provide any input they may have prior to its submission to the Legislature.

FINANCIAL REPORT

Ms. Hall gave the financial report, which is linked above. The report indicated that the Board has a negative cash balance of \$167,013.19 as of 6/30/2012. She added that the Board's expenses have gone down and its revenue has increased. The Board discussed the fines for disciplinary matters, as there were none collected during this last fiscal year.

FY 2013 RENEWAL CONTRACT

Ms. Hall presented the FY 2013 renewal contract to the members of the Board. Dr. Benedict made a motion to approve the contract and authorize the Chair to sign on behalf of the Board. It was seconded by Dr. Arnold. Motion carried.

INVESTIGATIVE REPORT

Ms. Rightnowar gave the investigative report, which is linked above. There were no cases for Board determination. Ms. Rightnowar provided the Board with the status regarding when disciplinary fine payments were due.

REPORT/POD- 2012-2

Ms. Rightnowar presented the bi annual report submitted for case no. POD-2010-2, as required by the Board. No action was taken.

OLD BUSINESS

UPDATE REGARDING DEBRIDEMENT & THE PT PROFESSION AND TREATMENT OF AILMENTS & COS PROFESSION

The Board discussed a physical therapist and its use of debridement. The Board reviewed I.C. § 54-2203(9)(b) which allows for the utilization of this technique in the scope of practice for licensed therapists. Dr. Howard made a motion to have the Chair at his discretion ask for the definition of the term debridement from the Physical Therapy Licensure Board either via a letter or person. It was seconded by Dr. Benedict. Motion carried.

The Board also reviewed I.C. § 54-802(1) where it states, in part, "Cosmetology" shall constitute any one (1) or combination of the following practices when done upon the human body for cosmetic purposes and not for the treatment of disease or physical or mental ailments.

Ms. Cory stated if there concern about this because the Board knows of a particular cosmetologist who may be in violation of this statute then a complaint should be filed with the investigative unit. Dr. Howard stated he is aware of a licensee who is practicing outside of its scope of practice, as this individual is treating diabetic patients. Dr. Benedict stated if there are instances of this happening then a complaint should be submitted.

Dr. Howard made a motion to write a letter to the Board of Cosmetology to express the concern over the treatment of diabetic patients. It was seconded by Dr. Arnold. The vote was: Dr. Howard, aye; Dr. Arnold, aye; Mr. Overgard, nay; Dr. Benedict, nay; and Dr. Gravier, nay. Motion failed.

Dr. Arnold made a motion to ask the Board of Cosmetology to send a letter to its nail technicians to redefine its scope of practice as a reminder. It was seconded by Dr. Howard. The vote was: Dr. Howard, aye; Dr. Arnold, aye; Mr. Overgard, nay; Dr. Benedict, nay; and Dr. Graviet, nay. Motion failed.

REVIEW LETTER TO ASSOCIATION/LICENSEES

Mr. Hales presented a letter that was drafted to be sent to licensees requesting input with regard to the Board's possible law/rule changes that would effect license renewals. The Board compared the number of continuing education (CE) hours required and Idaho, compared to most other neighboring states, requires the least amount of hours per year. The Board also stated that by increasing the number of CE hours; this may also reduce the number of disciplinary matters.

Dr. Howard made a motion to approve the drafted letter with an addition to ask the doctors for input regarding a possible rule change to increase the number of CE hours to thirty (30) from the required twenty four (24) hours in a two (2) year period. It was seconded by Dr. Arnold. Motion carried.

DISCUSS POSSIBLE LAW/RULE CHANGES FOR 2014 SESSION

The Board re-reviewed the draft proposed law and rule changes. The Board discussed privately owned surgery centers and discussed removing the language "peer review" and replace it with "training" in I.C. § 54-602(2).

The Bureau will draft the initial changes and submit them to a sub-committee for its preview. The Chair also asked each member to review its current law and rules to identify any other changes that may be needed.

Dr. Howard made a motion to direct counsel to bring these changes to the next regularly scheduled meeting for the Board to review. It was seconded by Dr. Benedict. Motion carried.

NEW BUSINESS

EXECUTIVE SESSION

Dr. Howard made a motion that the Board go into executive session under Idaho Code § 67-2345(1)(d) to consider records that are exempt from disclosure under the Idaho Public Records Law. The purpose of the Executive Session was to consider license application materials. It was seconded by Mr. Overgard. Vote: Dr. Graviet, aye; Dr. Howard, aye; Mr. Overgard, aye; Dr. Arnold, aye; and Dr. Benedict. Motion carried.

Dr. Howard made a motion to come out of executive session. It was seconded by Mr. Overgard. Vote: Dr. Graviet, aye; Dr. Howard, aye; Mr. Overgard, aye; Dr. Arnold, aye; and Dr. Benedict. Motion carried.

APPLICATIONS

P-219 Dr. Howard made a motion to approve James Cutler for licensure. It was seconded by Dr. Arnold. Motion carried.

P-216 Dr. Howard made a motion to approve Adam Matthews for licensure. It was seconded by Dr. Arnold. Motion carried.

P-220 Dr. Howard made a motion to approve Ryan Rigby for licensure. It was seconded by Dr. Arnold. Motion carried.

P-217 Dr. Howard made a motion to approve Brandon Wilde for licensure. It was seconded by Dr. Arnold. Motion carried.

CE AUDIT

The Board reviewed and approved the CE audit documentation submitted by licensees.

P-151 The Board asked that a return letter be sent to the licensee requesting the licensee provide additional documentation to show compliance with the CE requirement.

NEXT MEETING was tentatively scheduled as a conference call for Wednesday October 17, 2012 at 4:00 PM MDT.

ADJOURNMENT

Dr. Benedict made a motion to adjourn the meeting at 11:08 AM. It was seconded by Mr. Overgard. Motion carried.

Scott A. Graviet, D.P.M., Chair

Randall L. Benedict, D.P.M.

Jesse N. Overgard

Jeanne M Arnold, D.P.M.

Kert W. Howard, D.P.M.

Tana Cory, Bureau Chief